

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MARK BREAKIRON,

Petitioner,

V.

MARTIN HORN, Commissioner,  
Pennsylvania Department of Corrections;  
CONNOR BLAINE, Superintendent of the  
State Correctional Institution at Greene, and  
JOSEPH P. MAZURKIEWICZ,  
Superintendent of the State Correctional  
Institution at Rockview,

Respondents.

CIVIL ACTION

No. 00 - 300

Judge Hardiman

# THIS IS A CAPITAL CASE.

## ORDER FOR WRIT OF HABEAS AS TESTIFICANDUM

**AND NOW**, this \_\_\_\_\_ day of January, 2007,

**IT IS ORDERED AND DIRECTED** that a writ of Habeas Corpus Ad Testificandum is hereby directed to the Superintendent of State Correctional Institution Dallas, Dallas Pennsylvania, or prison officials acting at his direction, and to the United States Marshal for the Western District of Pennsylvania, commanding them to have the body of **JAMES FRANCIS SULLIVAN**, Inmate # BT 9865, before this Court on Thursday and Friday, February 1 and 2, 2007 at 9:00 a.m. to testify as a fact witness at an evidentiary hearing in the above titled case and to remain in federal custody until completion of the evidentiary hearing.

**IT IS FURTHER ORDERED** that upon completion of the evidentiary hearing in the above-captioned case, **JAMES FRANCIS SULLIVAN**, Inmate # BT 9865, shall be returned to

the custody of the Superintendent of State Correctional Institution Dallas, Dallas Pennsylvania.

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Honorable Thomas M. Hardiman  
United States District Judge